

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS THE HAGUE 002928

SIPDIS

SENSITIVE

STATE FOR DRL/IRF - KATY LURIE

E.O. 12958: N/A

TAGS: PHUM CVIS NL GM

SUBJECT: NETHERLANDS: DESPITE COURT DECISION, DUTCH VISA

FOR REV. MOON UNCERTAIN

¶1. (SBU) SUMMARY: The Dutch Unification Church (DUC) is concerned that Dutch immigration authorities may deny Rev. Sun Myung Moon a visa to visit the Netherlands on Nov. 2. Although the Dutch invoked an exception clause to the Schengen Treaty framework to grant Rev. and Mrs. Moon visas in the past, an initial visa request for the upcoming trip was denied. The DUC challenged the decision in court and prevailed; nevertheless, Dutch immigration will not confirm whether or when the Moons will be issued visas. Post requests guidance from Washington. END SUMMARY.

¶2. (SBU) Wim Koetsier (President, Dutch Unification Church (DUC)) contacted POLOFF on October 11 to discuss an outstanding visa request for Unification Church founder Rev. Sun Myung Moon to visit the Netherlands on November 2 as part of a European tour. Rev. Moon plans to be in the Netherlands for one day only, between stops in Switzerland on November 1 and Slovenia on November 3. According to Koetsier, Rev. and Mrs. Moon had been granted visas to the Netherlands on three prior occasions. In each previous case, he added, the Dutch government had exercised an exception clause in the Schengen Treaty framework to issue the visas despite Germany's placement of the Moons on an EU list of persons to whom visas may not be issued.

¶3. (SBU) Koetsier told POLOFF that he had presented several requests for an exception to the Schengen proscriptions to the Dutch Immigration and Nationalization Service (IND) in preparation for the upcoming visit. Contrary to previous practice, however, the IND summarily denied each request. Koetsier gave POLOFF a copy of an IND reply, translated by Koetsier himself, to support his claim and stated that the DUC would challenge the decision in court.

¶4. (SBU) On October 21, Koetsier informed POLOFF that the Amsterdam district court had ruled in favor of the DUC, in effect rejecting the GONL's rationale for denying the visa request. He noted that the DUC's attorney hoped that IND would process the visa by October 28.

¶5. (SBU) On October 26, POLOFF raised the matter with Hans Faber (Policy Advisor, IND), stressing the U.S. interest in upholding the principles of religious freedom in this and similar cases. Faber confirmed that the DUC had prevailed in an Amsterdam District Court case and that the Moons previously had been granted visas pursuant to the exception clause. Faber balked, however, when asked whether the IND would issue a visa in light of the court decision, explaining that the IND is currently "interpreting what you can and can't do" under the court's ruling.

¶6. (SBU) Faber indicated that the Schengen Treaty framework conditions Rev. Moon's receipt of a visa on Germany's consent. When asked when or whether he thought the Germans would consent, Faber demurred. In a subsequent discussion with POLOFF, Koetsier asserted that the Germans had already consented to Rev. Moon's entrance in an October 17 letter. Koetsier expressed concern that the IND may revisit the question of German consent as a delaying tactic to avoid issuing the visa until it is too late -- a tactic he said had been used by other Schengen countries in the past.

¶7. (SBU) On October 27, POLOFF discussed the matter with Jaap Christiaanse (Deputy Head, Western Hemisphere Affairs, MFA) and underscored the U.S. general concern for the preservation and promotion of religious freedom. Christiaanse was unaware of the issue, but promised to bring it to the attention of his colleagues in the Consular Affairs Division.

¶8. (SBU) COMMENT: The clock is ticking for the DUC's appeal; Faber's remarks indicate that the IND may indeed wait until time runs out rather than comply with the Amsterdam District Court's decision. Post requests guidance from Washington in the event that the IND does not issue Rev. Moon a visa on October 28. END COMMENT.

SCHOFER